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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,960	07/10/2006	Earl Fenton Goddard	6589-72243-01	1619
24197 7590 06/23/2009 KLARQUIST SPARKMAN, LLP 121 SW SALMON STREET SUITE 1600 PORTLAND, OR 97204				
EXAMINER KO, JASON Y				
ART UNIT		PAPER NUMBER		
1792				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/552,960

Applicant(s)

GODDARD, EARL FENTON

Examiner

JASON Y. KO

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1792

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 15-18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-850)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 20090514, 20081216, 20051118

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by MINKIN (5,427,128).**

3. Regarding Claim 1, MINKIN teaches a parts washer comprising: a cleaning chamber (washing chamber 16, Fig. 2); a receptacle (turntable 36, Fig. 2 or tumble 28, Fig. 12 and col. 13 lines 38-40) into which parts to be cleaned are placed; a receptacle drive (drive means not shown, col. 13 lines 38-40); at least one spray manifold (any of the three manifolds of wash manifold 32, Fig. 2) having a plurality of spray jets; wherein the at least one spray manifold is movably mounted within the cleaning chamber and is coupled to a spray manifold drive (See Fig. 3, expected given structure on top right, rotatable handle structure).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 2-14 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over MINKIN (USPN 5,427,128).

7. MINKIN is relied upon as described above in the rejection of Claim 1.
8. Claims 2 and 6 are directed to a spray manifold which allows for horizontal and vertical reciprocal motion.
9. MINKIN appears to teach the spray manifold assembly to be able to undergo reciprocal horizontal movement (in view of the handle and drive structure on top right of Figs. 2-3), but fails to explicitly teach the manifold to undergo reciprocal vertical motion. MINKIN also teaches a vertical spray manifold (42, Figs. 2-3).
10. However, it is well known in the art to provide spray manifolds which can undergo reciprocal vertical motion, and thus, it would have been obvious even in view of the teachings of MINKIN, in particular the wash manifold, which undergoes reciprocal horizontal motion and the drive unit, to provide a spray

manifold (the vertical spray manifold 42, Figs. 2-3) which could undergo reciprocal vertical motion in conjunction with a drive unit, to have a wider area of coverage for the spray manifolds. See Figs. 2-3.

11. Claim 3 is unpatentable over MINKIN because MINKIN teaches a manifold arrangement having a first horizontal spray manifold located above the receptacle having spray jets directed downwardly toward the receptacle (which would be placed between the two horizontal sprays, once the parts were in operating positions) and a second horizontal spray manifold located below the receptacle having spray jets directed upwardly. See Fig. 2.

12. Claim 4 is unpatentable over MINKIN because MINKIN teaches an interconnecting manifold (wash manifold 32, Fig. 2) which is arranged to extend generally vertically between the first and second horizontal spray manifolds.

13. Claim 5 is unpatentable over MINKIN because MINKIN further teaches the interconnecting manifold (vertical part of wash manifold 32, Fig. 2) as connected to a drive (upper right portion of Fig. 3) and it would be obvious to cause the horizontal spray manifolds to undergo pivotal reciprocal motion in a generally horizontal plane by causing the drive to rotate (either manually or automatically).

14. Claims 7-8 are unpatentable over MINKIN because MINKIN suggests and teaches that the angle of spray can be manipulated; furthermore, MINKIN teaches the use of "thin angle spray" and thus, it would be obvious to spray a non-diverging stream of fluid. See col. 14 lines 21-37. Regarding Claim 8, the spray angle "can be reduced" and thus it would be obvious to have the manifold spray at varying angles in a single plane for a more efficient cleaning experience.

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15. Claims 9-10 are unpatentable over MINKIN because MINKIN teaches the horizontal spray manifolds as provided with a plurality of spray jets at an outer end thereof. See Fig. 3.

16. Claim 11 is unpatentable over MINKIN because it appears that MINKIN teaches a parts washer in which after a revolution of the receptacle, at least one spray manifold will have undergone a plurality of reciprocal movements and be in a position offset from the position of the at least one spray manifold at the commencement of said revolution. See Fig. 3, the spray manifold drive unit appears to be manually adjustable so as to cause multiple rotations, and could be manipulated to meet the claimed limitations. Furthermore, it would have been obvious to wash in this offset drive arrangement in order to accomplish a more thorough wash, as opposed to a wash wherein the receptacle drive and the spray manifold drives are in sync, which would potentially result in a redundant washing of certain regions while other regions would not undergo a thorough washing.

17. Claim 12 is unpatentable over MINKIN because MINKIN teaches a reciprocating motion, and cams are very well known in the art to allow for reciprocal motion. Similarly using a motor to drive a drive wheel which is connected to the cam is very well known and obvious to use to accomplish reciprocating motion, which in turn allows for an improved wash.

18. Claim 13 is unpatentable over MINKIN because it would be obvious to add another manifold, particularly an inlet manifold for feeding the fluid. The orientation and location as claimed appear to be merely design choices or one of limited configurations, which would be obvious to try for one of ordinary skill in

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the art. The connectivity between the cam member, the drive wheel and inlet manifold would be obvious because there are only limited number of configurations to connect, especially for the purpose of imparting reciprocal rotation. Furthermore, Claim 14 is unpatentable over MINKIN because having a lug on a drive wheel engage with a cam plate having a slot is a very well known and obvious way of configuring and using a cam member.

19. Claim 19 is unpatentable over MINKIN because MINKIN teaches a hinged door 28 (col. 4 lines 39-43) and it would be obvious to have a moveable lid in view of the door for closing and opening the cleaning chamber.

20. Claim 20 is unpatentable over MINKIN because MINKIN teaches a tumbler (38, Fig. 12), and thus, it would have been obvious to use a basket mounted on a drive shaft because these are structurally similar and accomplish similar results of rotating objects placed within.

Allowable Subject Matter

21. Claims 15-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

22. The following is a statement of reasons for the indication of allowable subject matter:

23. Regarding Claims 15-18, the prior art fails to teach or make obvious a parts washer having a manifold arrangement that includes a first and second horizontal spray manifold, a vertical spray manifold, an interconnecting manifold,

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an inlet manifold, which are arranged particularly with a first and second interconnecting member, five transverse brackets, and a U-shaped pipe being rotatably connected between an elbow on the inlet manifold and an elbow on the vertical spray manifold, to allow reciprocal rotational movement of the parts as claimed.

Conclusion

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON Y. KO whose telephone number is 571-270-7451. The examiner can normally be reached on Monday-Thursday; 9:30am-7:00pm.

25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MICHAEL BARR can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service

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Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/JYK/

Jason Y. Ko

Patent Examiner, Art Unit 1792

15 June 2009

/Michael Barr/

Supervisory Patent Examiner, Art

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